IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12330 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

JAGANATH CO-OP. HOUSING SOCIETY LTD.

Versus

RATIBHAI BHALABHAI PATEL

Appearance:

1. Special Civil Application No. 12330 of 2000

MR HARSHAD J SHAH for Petitioner No. 1

MR NIRAV C THAKKAR for Respondent No. 1

MR JASWANT K SHAH for Respondent No. 2

CORAM : MR.JUSTICE JAYANT PATEL

Date of decision: 22/03/2002

ORAL JUDGEMENT

Heard Mr.J.G.Shah for the petitioner, Mr.N.C.Thakkar for respondent No.1 and Mr.J.K.Shah for

respondent No.2.

2. Considering the facts and circumstances of the case and in view of the conscience arrived at by both sides, it is directed that the learned Nominee shall decide the suit within a period of six months from the date of receipt of writ of this court.

3. Mr.J.K.Shah appearing for the respondent No.2 states that no construction shall be made by his client over the suit property until the said suit is disposed of by the learned Nominee. Respondent No.2 is directed to act as per the said statement.

4. It is made clear that both sides shall cooperate with the hearing of the suit. Rule is made absolute accordingly with no order as to costs.

22.3.2002 (JAYANT PATEL,J)